

REMARKS

The present application was filed on February 16, 2001 with claims 1 through 17. Claims 8 and 14 were cancelled in the Amendment and Response to Office Action dated April 26, 2004. Claims 1-7, 9-13, and 15-17 are presently pending in the above-identified patent application. Claims 6, 9, 12, and 15 are proposed to be amended herein.

In the Office Action, the Examiner objected to claims 9 and 15 due to indicated informalities and rejected claims 9 and 15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner also rejected claims 1-7, 9-13, and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Kaplinsky (United States Patent Number 5,298,866).

Formal Objections

Claims 9 and 15 were objected to due to indicated informalities. In particular, the Examiner notes that claims 9 and 15 cannot depend on cancelled claims 8 and 14.

Claims 9 and 15 have been amended to address the Examiner's concerns and Applicants respectfully request that the objections to claims 9 and 15 be withdrawn.

Section 112 Rejections

Claims 9 and 15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner asserts that there is insufficient antecedent basis for the limitation "said round trip delay time" in the cited claims.

Claims 6 and 12 have been amended to address the Examiner's concerns and Applicants respectfully request that the section 112 rejections be withdrawn.

Independent Claims 1, 6 and 12

Independent claims 1, 6, and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaplinsky. Regarding claim 1, the Examiner acknowledges that Kaplinsky does not explicitly teach that the clock delay is estimated, but asserts that Kaplinsky teaches measuring a clock delay for each of said nodes (col. 2, lines 66-67; col. 5, lines 27-28) and that it

would have been obvious to a person of ordinary skill in the art to modify the teachings of Kaplinsky to estimate the clock delay instead of measuring the clock delay.

Contrary to the Examiner's assertion, Kaplinsky does not teach to *measure* a clock delay. Kaplinsky teaches that the output of a charge pump 69 is tuned up or down in voltage according to a digital up 67 and digital down signal 65 (FIG. 1; col. 6, line 43, to col. 7, line 2). Kaplinsky does not teach a method to set the output of the charge pump 69 at a particular value. Since the output of the charge pump 69 determines the delay time of voltage controlled delays 47, 49, the amount of delay introduced by voltage controlled delays 47, 49 is not known. Since the amount of delay introduced by voltage controlled delays 47, 49 is not known, Kaplinsky cannot measure the delay on signal paths 15 and 29. At best, Kaplinsky *can only measure the overall delay of the propagation paths*. Yet, Kaplinsky does *not* even disclose or suggest measuring this overall delay. Kaplinsky only compares the signal that has propagated through voltage controlled delay 47, device 11, node 33, line 15, line 29, node 35, device 37, and voltage controlled delay 49 to the signal the has propagated through voltage controlled delay 53, device 19, line 21, device 23, and voltage controlled delay 55, i.e. Kaplinsky simply compares the phase of the signals 59, 61 and determines whether to increase or decrease the output voltage of the charge pump 69 in an attempt to tune signal 61 to be in phase with signal 59.

Thus, first, the Kaplinsky statement that "the return signal lags the reference signal" "when the delay on signal paths 15 and 29 is large" (col. 6, lines 59-60) is incorrect since the relation of the return signal to the reference signal is determined by the overall delay of the propagation path and the amount of delay introduced by voltage controlled delays 47, 49. As noted above, the amount of delay introduced by voltage controlled delays 47, 49 is unknown; thus it cannot be determined whether the "lag" is the result of a large delay on signal paths 15 and 29 or a large delay by the voltage controlled delays 47, 49. Second, as noted above, Kaplinsky does *not* disclose or suggest measuring or estimating a clock delay for each of the nodes. Finally, Kaplinsky does *not* disclose or suggest adjusting the clock signal based on the estimated clock delay.

Thus, Kaplinsky does not disclose or suggest estimating a clock delay and adjusting said clock signal...based on said estimated clock delay, as required by independent

claims 1 and 6, as amended, and does not disclose or suggest a delay driver for adjusting said clock signal...based on an estimated clock delay, as required by claim 12.

Dependent Claims 2-5, 7, 9-11, 13 and 15-17

Dependent claims 2-5, 7, 9-11, 13, and 15-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaplinsky.

Claims 2-5, claims 7 and 9-11, and claims 13 and 15-17 are dependent on claims 1, 6, and 12, respectively, and are therefore patentably distinguished over Kaplinsky because of their dependency from amended independent claims 1, 6, and 12 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims, i.e., claims 1-7, 9-13, and 15-17, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



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Kevin M. Mason
Attorney for Applicants
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560